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UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA
TUCSON DIVISION

Robert Bennetti, Linda Mariano, and
Linki Peddy, individually and on behalf
of a class of all other persons similarly
situated,

Plaintiffs,

vs.

Mark G. Monson; David Johnson;
Douglas Zimmerman, Alberto J. Tarajano;
and DOES 1-25,

Defendants.

Community Provider of Enrichment
Services, Inc. Employee Stock Ownership
Plan and Trust,

Nominal Defendant.

Case No. 4:23-cv-00193-RCC

**JOINT STIPULATION
REGARDING SERVICE OF
PROCESS AND EXTENSION
OF TIME (First Request)**

1 Plaintiffs Robert Bennetti, Linda Mariano, and Linki Peddy (“Plaintiffs”), and
2 Defendants Mark G. Monson, David Johnson, Douglas Zimmerman, and Alberto J.
3 Tarajano (“Defendants”) have agreed to the following regarding waiver of service, and
4 respectfully request the Court to adopt the following Stipulation:
5

6 WHEREAS, the parties agree that, in the interests of judicial economy and orderly
7 management of the action, a schedule should be established with respect to acceptance of
8 service by defendants, and any response to the Complaint (Dkt. 1) (“Complaint”) filed by
9 Defendants;
10

11 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned
12 counsel for the undersigned parties, subject to Court approval, as follows:
13

14 1. Defendants Mark G. Monson; David Johnson; Douglas Zimmerman, and
15 Alberto J. Tarajano will serve their responses to the Complaint on the same day.

16 2. The deadline for Defendants Mark G. Monson; David Johnson; Douglas
17 Zimmerman, and Alberto J. Tarajano to respond to the Complaint will be August 4, 2023.

18 3. Defendants agree to accept service of the Complaint and to waive the
19 formalities of service under Federal Rules of Civil Procedure 4(d).
20

21 4. This agreement is limited to the above-captioned litigation and should not be
22 construed as an agreement by any Defendant to waive the requirements of Federal Rules
23 of Civil Procedure 4(d) in any other litigation or for any purpose other than accepting
24 service of Plaintiffs’ Complaint in this action.
25

26 5. Defendants do not waive any other defenses, including the right to challenge
27 personal or subject matter jurisdiction and venue. Plaintiffs agree that they will not argue
28

1 that waiver or acceptance of service or negotiation of this Stipulation and Order supports
2 personal jurisdiction over any Defendant.

3 WHEREFORE, Plaintiffs and Defendants respectfully request that the Court enter
4 this Stipulation as an Order of the Court.
5

6 IT IS SO STIPULATED.

7 DATED this 27th day of June, 2023.

8 Respectfully Submitted,

9
10 KELLER ROHRBACK L.L.P.

11
12 By: /s/ Gary A. Gotto

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